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We would impeach Trump at our peril

By Richard Cohen Opinion writer September 25, 2017

Forgive me for starting with a cliche: Beware of what you wish for. I apply it today to the impeachment of President Trump, which is as fervently desired by liberals as it is currently unlikely. Still, with special counsel Robert S. Mueller III raiding homes and the FBI tapping phones, the unlikely is looking ever more likely. Sooner or later, Mueller is going to have to start dropping shoes.

Trump is a dust storm of lies and diversions with the bellows of a bully and the greasy ethics of a street-corner hustler. The chances of him passing Mueller's muster are slim. Just for starters, the firing of James B. Comey as FBI director raises questions of obstruction of justice, and the appointments of Paul Manafort as campaign chairman and Michael Flynn as national security adviser emit the Kremlinesque scent of borscht. The possible crimes line up like boxcars being assembled for a freight train. Trump is a one-man docket.

Still, it's not clear that a president can be indicted, only impeached by the House and tried by the Senate. The framers set the bar appropriately high — a majority of the House, two-thirds of the Senate — so high, in fact, that it has never happened. Andrew Johnson and Bill Clinton were impeached, but acquitted by the Senate. Richard Nixon leaped before he was pushed. He resigned rather than await the inevitable.

For impeachment-crazed Trump critics — <u>at least one bill has already been introduced</u> — Nixon is not a precedent but a cautionary tale. He resigned only after the White House tapes revealed that he had obstructed justice. He incriminated himself. The evidence was so stark that several Republicans on the House Judiciary Committee who had opposed Nixon's impeachment reversed their positions. In the Senate, Nixon had no more than 18 supporters. The president gathered his things and summoned the helicopter.

Nothing similar is likely to happen with Trump. He's probably not going to be found admitting on tape to some crime a la his "Access Hollywood" confession — and, like Nixon, retaining the evidence. Instead, any alleged crime is likely to be fuzzy, complicated — amenable to a tweetable defense. Trump's somewhat shrinking fan base is not likely to abandon him. They already know he's a liar and cheat — but he's *their* liar and cheat.

In a speech last week, <u>Arthur Eisenberg</u>, the legal director of the New York Civil Liberties Union, warned, "There should be no impeachment unless the case for impeachment were overwhelming." If that were not the case, he went on, "Trump's supporters would feel that they were deprived of their electoral victory."

Eisenberg's caution is well founded. Trump has already prepped his supporters to believe that an influx of illegal immigrants almost stole the election from him. He has labeled uncomfortable

truths "fake news" or, in the Orwellian concoction of Kellyanne Conway, "alternative facts." He would surely lie in his own defense. He almost certainly would tolerate, possibly even stoke, violence.

A recent article in the New Yorker was headlined "Is America Headed for a New Kind of Civil War?" The question sounds preposterous, but since Trump's election, the inconceivable has become conceivable. Trump's approval ratings are historically low, yes, but that's nationally — not regionally. In states such as West Virginia, Wyoming and Alabama and in the deep Midwest, they remain high. In the Dakotas, Nebraska, Kansas and Oklahoma, he remains over the 50 percent mark.

How would Trump's hardcore supporters react to the removal of their president for a high crime or misdemeanor that fell somewhat short of a triple ax murder? Not with equanimity, you can be assured. Does that matter? Maybe not. But the "civil war" cited in the New Yorker article was not of armies marching across fields, but of civil unrest — a lot of angry people causing a lot of mayhem.

The precedent may not be America from 1861 to 1865, but pre-war Europe. The recent skirmishes here between ultra-nationalists on the far right and the so-called <u>antifa</u> on the far left are reminiscent of the brawls between fascists and communists that weakened German democracy in the 1920s and 1930s. The extremes sucked the air out of the center. In Yeats's enduring words, things fell apart. The center could not hold.

After she lost the election, Hillary Clinton called for reconciliation. Al Gore did the same after the Supreme Court, in a partisan vote, handed the White House to George W. Bush. I cannot imagine Trump doing the same after being removed from office. He has been a miserable winner. He would be an even worse loser.